

MESSAGE NO: 5271319 MESSAGE DATE: 09/28/2015

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 2289207
MESSAGE #
(s):

CASE #(s): A-583-830

EFFECTIVE DATE: 12/30/2003 COURT CASE #: 02-00502, 03-1653

PERIOD OF REVIEW: 05/01/2000 TO 04/30/2001

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 09/28/2015

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Rescission of administrative review in part of antidumping duty order on stainless steel plate in coils from Taiwan (A-583-830)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 3 below.

1. On 12/30/2003, U.S. Court of Appeals for the Federal Circuit dismissed the case of Allegheny Ludlum Corp. v. United States, Court Number 03-1653, on appeal from the U.S. Court of International Trade, Court Number 02-00502. As a result of this decision, the injunction to which message 2289207 dated 10/16/2002 refers enjoining liquidation of entries which are subject to the antidumping duty order on Stainless Steel Plate in Coils from Taiwan for the period 05/01/2000 through 04/30/2001 and that were exported by Ta Chen Stainless Pipe Co., Ltd., dissolved on 12/30/2003.

2. For all shipments of stainless steel plate in coils from Taiwan (A-583-830) exported by Ta Chen Stainless Pipe Co., Ltd., and entered, or withdrawn from warehouse, for consumption during the period 05/01/2000 through 04/30/2001, you are to assess antidumping duties at the cash deposit or bonding rate required at the time of entry. Entries of this merchandise may have been made under A-583-830-000 or A-583-830-002.

3. These instructions constitute notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2. Accordingly, notice of the lifting of suspension occurred on the message date of these instructions. Unless instructed otherwise, for all other shipments of stainless steel plate in coils from Taiwan you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

4. There are no injunctions applicable to the entries covered by this instruction.

5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not

applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

6. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by CLU:JD.)

8. There are no restrictions on the release of this information.

Sherri L. Hoffman

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party